



State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.  
GOVERNOR

HILLARY J. CRAIN  
CHAIRMAN

DECISION OF THE  
LOUISIANA GAMING CONTROL BOARD

IN RE: BRUCE L. MCVEY  
NO. P040002832

This is an appeal by Bruce L. McVey from the decision of Joseph E. Anzalone, Jr., Hearing Officer for the Louisiana Gaming Control Board, rendered on August 12, 2002, upholding the denial of renewal of his non-key gaming employee permit by the Louisiana State Police, Casino Gaming Division.

Based on the facts and for the reasons assigned by the Hearing Officer which we hereby attach to this decision and adopt as our own, we conclude that the decision of the Hearing Officer should be affirmed.

ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of October 15, 2002:

IT IS ORDERED THAT the Hearing Officer's decision is **AFFIRMED**.

THUS DONE AND SIGNED this the 15<sup>th</sup> day of October, 2002.

LOUISIANA GAMING CONTROL BOARD

  
HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 16<sup>th</sup> DAY  
OF October, 2002  
APPEAL DOCKET CLERK



**STATE OF LOUISIANA  
GAMING CONTROL BOARD**

**ADMINISTRATIVE HEARING  
JUNE 6, 2002**

**HEARING OFFICER  
JOSEPH E. ANZALONE, JR.**

**IN RE: BRUCE L. MCVEY  
P040002832**

**TRUE COPY**  
*[Signature]*  
Representative.  
Louisiana Gaming Control Board

IN RE: BRUCE L. MCVEY  
P040002832

APPEARANCES:

For the State of Louisiana:  
Ms. Shana Broussard  
Assistant Attorney General  
339 Florida Street  
Suite 500  
Baton Rouge, LA 70801

For Bruce L. McVey :  
6022 Fairfield Avenue  
Shreveport, LA 71106  
In Proper Person

STATEMENT OF THE CASE:

The Louisiana State Police, Casino Gaming Division ("Division") seeks to deny Bruce L. McVey a renewal of his non-key gaming employee permit. The denial is based upon Mr. McVey's conviction of aggravated assault.

STATE'S EVIDENCE AND CONTENTIONS:

The State has offered, filed, and introduced into evidence and exhibit file marked S-1 in globo and containing the following documents:

1. Notice of Denial of Renewal Application dated April 19, 2002;
2. Request for Administrative Hearing dated April 22, 2002;
3. Non-key gaming employee permit renewal application submitted January 30, 2002;
4. Arrest report from Shreveport Police Department reflecting that Mr. McVey's arrest and charge of aggravated assault on May 12, 1998;
5. Bill of Information dated August 25, 1998, reflecting Mr. McVey was charged with Aggravated Assault, Simple Criminal Damage, and Resisting an Officer;
6. Court minutes reflecting a plea of guilty to the above referenced charge.

Division Intelligence Analyst, Ms. Betty Beckham, testified that she reviewed Mr. McVey's renewal application. She further testified that Mr. McVey previously submitted documents about his arrest and conviction. Mr. McVey was arrested on May 12, 1998, and charged with two counts of aggravated battery; pled guilty to two counts; was fined two hundred fifty dollars (\$250.00); ordered to pay court costs; sentenced to sixty days in the parish prison, sentence suspended; was placed on supervised probation for a period of one year; and ordered that the weapon be forfeited.

LICENSEE'S EVIDENCE AND CONTENTIONS:

The licensee has offered, filed, and introduced into evidence the following documents:

1. Correspondence dated June 3, 2002, from Neal Stone, Director of Casino Operations reflecting a personal recommendation for Mr. McVey;
2. Rule to Show Cause filed with the 1<sup>st</sup> Judicial District Court; Parish of Caddo, requesting an order of expungement; (Note: The order has not been signed)

Mr. McVey testified that he's been employed in the gaming industry since 1994, and has received good employee appraisals and greatly enjoys his job.

FINDINGS OF FACT:

This court finds that Bruce McVey pled guilty to two (2) counts of aggravated assault on December 10, 1998, was sentenced to sixty (60) days in parish prison, sentence suspended; placed on supervised probation for one year; was ordered to forfeit the weapon; and fined two hundred fifty dollars (\$250.00) for each count.

APPLICABLE LAW:

La. R.S. 27:28 B(1)(e) provides in pertinent part:

- B. The board or division, where applicable, shall not grant a license or permit, enter into a casino operating contract, or issue any other approval pursuant to the provisions of this Title to any person who is disqualified on the basis of the following criteria:

- (1) The conviction of or a plea of guilty or nolo contendere by the applicant or any person required to be suitable under the provisions of this Title for any of the following:

(e) A crime of violence as defined in R.S. 14:2(13)

La. R.S. 14:2(13)(g) lists Aggravated Assault as a Crime of Violence

La. R.S. 14:37 Aggravated assault

- A. Aggravated assault is an assault committed with a dangerous weapon.
- B. Whoever commits an aggravated assault shall be fined not

more than one thousand dollars or imprisoned for not more than six months, or both.

REASONS FOR DECISION:

La. R.S.27:28(B)(1)(e) as amended, effective July 2, 2001, provides that the conviction of an applicant for a crime of violence as defined in La. R.S. 14:2(13) renders that applicant statutorily disqualified and unsuitable for holding a non-key gaming employee permit.

---

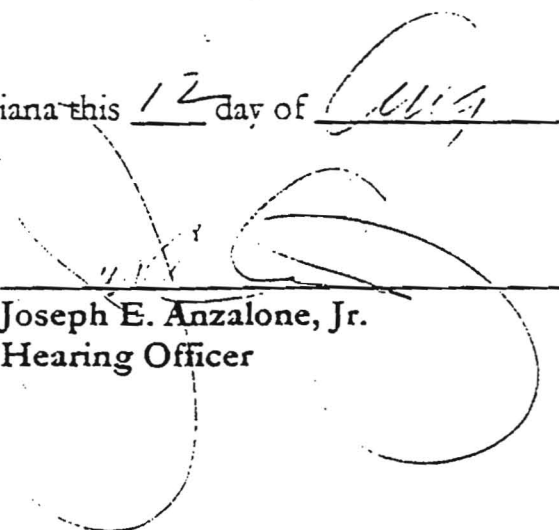
Mr. McVey, because of his plea of guilty to Aggravated Assault, is statutorily disqualified from holding a non-key gaming employee permit.

IN RE: BRUCE L. MCVEY  
P040002832

DECISION

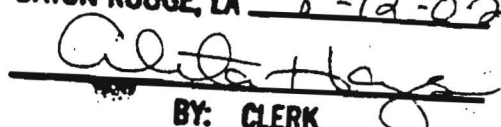
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
Bruce L. McVey be DENIED a renewal of his non-key gaming employee  
permit.

Baton Rouge, Louisiana this 12 day of August, 2002.

  
\_\_\_\_\_  
Joseph E. Anzalone, Jr.  
Hearing Officer

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 12th DAY  
OF August 2002  
Christina Davis  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

CC: Bruce L. McVey  
Shana Broussard, Esq.  
Lt. George Dean

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 8-12-02  
  
\_\_\_\_\_  
BY: CLERK